



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

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FOR IMMEDIATE RELEASE

GLADSTONE MAN SENTENCED FOR CYBER STALKING

KANSAS CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Gladstone, Mo., man was sentenced in federal court today for illegally e-mailing his ex-wife spyware that automatically downloaded to her computer, giving him the ability to monitor her online activities.

Jason Russell, 28, of Gladstone, was sentenced by U.S. Chief District Judge Dean Whipple this morning to three years of probation, including four months of home detention. Among the special conditions of **Russell's** probation, the court ordered that he submit to the monitoring or examination of any computers.

“**Russel** used spyware to read his ex-wife’s e-mail and other computer communications without her knowledge or consent,” Graves said. “This was an illegal invasion of her privacy.”

Graves noted that this marks the first criminal prosecution of this type of case in Western District of Missouri. “Internet users have a right to legal protection from this kind of intrusion,” Graves said. “The rules of privacy still apply in cyberspace – it is illegal to use this kind of spyware to wiretap another person’s computer.”

On Aug. 25, 2005, **Russell** pleaded guilty to cyber stalking. **Russell** admitted that he intentionally intercepted and endeavored to intercept electronic communications that were sent through interstate commerce. **Russell** purchased a membership with an Internet computer service called Lover-Spy (now out of business). The service provided a form of spyware designed to remotely and surreptitiously monitor and track communications through Internet services, including instant message communications and e-mail.

Russell admitted that he first sent the Lover-Spy software via forged e-mail to his ex-wife disguised as an online greeting card on Sept. 25, 2003. Once the greeting card was opened, Graves said, the Lover-Spy software was automatically downloaded, installed and activated on **Russell's** ex-wife’s computer. **Russell** sent the forged greeting from an anonymous e-mail

address as though it appeared to originate from a singles service his ex-wife was known to use. The email stated, "You have received a eCard (sic) from an interested member. Click below to review their profile." **Russell's** ex-wife viewed the e-card on several occasions.

On Sept. 26, 2003, **Russell** admitted that he sent a second forged e-mail that read "You never said thank you on my last one and I thought it was kinda cool as a member to send them. I have 3 pics uploaded in my profile after you view the card just click on membership has it/'s (sic) benefits." The second e-mail greeting card also contained a link which downloaded, installed and activated the Lover-Spy application.

This case was prosecuted by Assistant U.S. Attorney Jeffrey Valenti. It was investigated by the Federal Bureau of Investigation.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at
www.usdoj.gov/usao/mow